FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1395 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.S.Pednekar APP for the State.

Mr.M.S.Karnik for the Respondents.

Coram : R.S.Mohite,J

Date : 23.01.2006.

PC

1. This is an appeal filed by the State against a judgment and order passed by the JMFC, 3rd Court, Nashik on 22.4.2003 acquitting the accused for offences punishable under sections 420, 468, 471, 120-B of IPC. On perusal of the impugned judgment and order, it can be seen that the same has been passed for cogent and acceptable reasons. The prosecution case was that accused no.1 had made a false application to the Revenue official for obtaining no due

certificate and on the basis of such application the forged document was issued. The evidence indicated that in fact, there were no dues as per the government record. The Court has further observed that anybody had a right to apply for no due certificate and the application did not indicate that it was made on behalf of all the co-owners. In the circumstances, the view taken is a possible view. Hence, leave is refused and consequently appeal to stand dismissed.

(R.S.Mohite,J)